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ABSTRACT

The social scientist has a public responsibility which deserves as much attention as scientific and professional concerns. Some social scientists, retreating from this ideal, are now rewriting the history of the liberal movements of the 1960s. This revisionism, a product of contemporary neoconservatism, hinders the continuing efforts that social scientists must make in the struggle for social justice. As they did in the past, on issues such as school desegregation, social scientists must bring their disciplines to bear in the advocacy of stands on particular civil and political issues. (WP)

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THE SOCIAL SCIENTISTS' ROLE IN BROWN VS. BOARD OF EDUCATION: A NON-REVISIONIST APPRAISAL

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We all agree that the quarter century anniversary of Brown vs. Board of Education is an occasion for stock-taking in the struggle for racial justice in America. It is also a time for recommitment.

Each of my fellow panel members has a stronger substantive basis for contributing to this symposium than I do, and I want to leave the lion's share of time to them. All the same, I am proud to be part of the panel, and I am even prouder of having played a part in the events leading up to the Supreme Court's momentous decision. But my part was a minor one, offering testimony (along with Ken Clark and Is Chein) in the Richmond case that fed into Brown vs. Board of Education, and signing the Social Scientists' Brief. Kenneth Clark was the central figure in developing the social science support for the NAACP case, and, working with Ken, Stuart Cook and Is Chein did the heavy work on the Brief, which I merely signed in good company. In the years since, Stuart has contributed in innumerable ways to our research understanding of prejudice and intergroup relations. So he represents the current forefront of research as appropriately as Norm Miller, who entered the scene more recently.

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I agreed to join the panel partly for sentimental reasons. I remain inordinately proud of a paragraph or so in Richard Kluger's definitive historical account, Simple Justice (1976), and I am just as proud of my anonymous presence along with Ken Clark, Is Chein, and the NAACP legal staff in a picture that Kluger prints, taken on the steps of the Federal Courthouse in Richmond in late February, 1952.

There are also less sentimental reasons for my agreement to participate: I want my voice in the APA on record that psychology and psychologists still care about the issues that are symbolized by Brown vs. Board of Education, issues that have yet to be resolved satisfactorily. Much of the early work preparatory to psychologists' contributing to Brown vs. Board of Education took place under the auspices of SPSSI, the Society for the Psychological Study of Social Issues, which continues today as a strong APA division and as part of a Public Interest Coalition in APA politics. From my SPSSI or PIC point of view, the public responsibilities of psychology continue to require the same assiduous attention that we give so readily to our scientific and professional guild concerns. At this time in the history of our country--and in the affairs of the APA--such a committed concern particularly needs to be reasserted.

For persons who care about social justice--the old liberal causes and some new ones, this is not a good time. Understandable cynicism about American government--we can all list

many historical reasons for such cynicism, however much we deplore it--has fed into a general retreat from the social liberalism that prevailed in my own young adulthood. Some of our colleagues in the social sciences are contributing to this retreat by rewriting the history of the main liberal enterprises from the New Deal on, supposedly to the discredit of these enterprises but I think mainly to that of the neoconservatives themselves. The War on Poverty gets written off in this vein as the folly of misapplied social science, ignoring the fact that the guns of Vietnam took priority over the butter of social programs before most of the social programs had really been tried in depth, and also ignoring the actually impressive side-effects of a number of Poverty programs that really could not have succeeded on the terms in which they were overtly proposed. (An establishment cannot be expected to subsidize its own defeat and replacement! Yet the poverty programs did generate hope, surgency, and new leadership in their constituencies, and while Civil Rights gains have still not appreciably reduced the basic inequalities, the transformations that they brought about seem substantial all the same to someone who can remember the amiable, white-produced radio show of Amos and Andy!)

As controversies about "busing" and "white flight" replace the hard old issue of legally imposed segregation in the South and Border States, the revisionist account proposes to undermine the continuing efforts that we must put forth if we

are only to stay even in the struggle for justice. It is hinted in various quarters and said openly in others that the social science testimony in the cases culminating in Brown vs. Board of Education was tendentious and ungrounded, and, naturally, it is also said that the testimony made no difference--or maybe, it ought not to have made a difference: this sort of argument quickly gets confused in over-refutation. As we look back on the controversies of twenty-five years ago, I think it is important to our present morale to know and declare that we have no apologies, only pride, about the role of social scientists and psychologists in the courts of the 1950's.

We need to reground our current efforts toward social justice and effective democracy in hopeful realism--or in realistic hopefulness. I don't believe that Utopia is foreordained or attainable around the corner--or that it ever will be. I think the human enterprise is one of continuing struggle, in which we can hope for the reward of the chance to continue the struggle, if we do our part well, and ought to fear as potential punishment the end of human liberty and perhaps of life, if we give up on the challenge. To continue the struggle, we cannot afford false readings of our effective struggles in the past.

I am helped in my reappraisal by a paper that Stu Cook has in press in the Personality and Social Psychology Bulletin, with the subtitle, "Did we mislead the Supreme Court?" (Cook,

in press). With careful scholarship, Stu confirms what I believed: after a quarter century, the Social Science Brief stands up very well indeed.

He reminds us that the legal challenge to which the Social Science Brief was responsive was not the one we face today, that of de facto Northern urban segregation embedded in a complex nexus of institutional racism rather than in statutory law. It was old-style Southern segregation de jure, to which the Brief--and earlier oral testimony--spoke with evidence and well-grounded good sense. And the tentative predictions that the Brief made about the probable effects of desegregation have hardly been tested adequately in the years since: the desegregation processes studied in subsequent research have seldom been well specified, and for the most part they surely don't at all fit the principles of effective desegregation outlined in the Brief and elaborated in Ken Clark's subsequent "Appraisal of the Evidence" for the benefit of the Court. We have no occasion to be smug: Brown vs. Board of Education did not settle the problem of segregation and racial injustice, for all the help and good will of social scientists. But neither do we have reason to apologize. The Brief was a solid job, both in the light of knowledge then and of what we have learned since. It made a difference, one in which we can take enduring satisfaction.

This historical appraisal is important, because, in the APA, we keep hearing voices that condemn those of us who step

forward to bring our psychology to bear in the advocacy of stands on particular social issues--be they issues of race and justice, peace and survival, women's rights, corporal punishment, or whatever. The same message keeps getting repeated sanctimoniously, especially by some of our respected scientific colleagues (e.g., Atkinson, 1977): we discredit our standing as scientists (and, it is implied, jeopardize the support of our science) if we enter the fray of social controversy as advocates. The desegregation testimony of the 1950's was greeted by many with the same kind of righteous condemnation. Because the advocates of value neutrality and a merely technical role in the marshalling of evidence speak with such unqualified inner assurance on behalf of their own conception of the proper role for psychology and social science, those of us who see a different role for psychology need to be clear about our own position. Our present review of the participation of psychologists and other social scientists in Brown vs. Board of Education should help.

A sine qua non, of course, at the heart of what makes our historical instance something to celebrate, is scrupulous fidelity to the evidence available. It is crucial that Stuart Cook can answer his own question, "No, indeed, we did not mislead the Supreme Court." Stuart and those who worked with him in drafting the Brief were first of all competent and scrupulous social scientists. They did not misrepresent the state of the evidence. Another scrupulous collective statement

has just been published (Society, July-August, 1979)--one on "School Desegregation and Residential Segregation" prepared in connection with current cases involving the Dayton and Columbus school systems. It stands as a good contemporary example of responsibility in evidential advocacy.

The psychologists who prepared the Desegregation Brief, and the psychologists and social scientists who signed it, necessarily went beyond the firm evidence and drew upon their individual and collective judgment. In so doing, they distress the scientific purists. It is this inherently judgmental context that makes the signatures attached to the Brief and similar statements important; that makes relevant the qualification of expert witnesses. And because the issue is controversial, controversy between psychologists is not to be avoided.

It was not avoided in the cases feeding into Brown vs. Board of Education. For example, Henry Garrett, a former president of the APA, appeared for the State of Virginia in the Richmond case. Where social controversy concerning central human values is involved, there are bound to be psychologists willing to testify on each contending side. Does this discredit psychology and social science? Only from a very unrealistic perspective on what the social sciences are about, I think.

One can point to the prevalence of conflicting scientific testimony on such technical matters that touch key human interests as the SST, recombinant DNA, the breeder reactor, etc.--a fair response, I think, when Dick Atkinson chides politically

involved psychologists for bringing discredit on their discipline. Yet I don't think the situation in the social sciences is really comparable to that in physical or biological science and technology. Value considerations are involved more intrinsically, less extrinsically.

In retrospect on the Richmond case, we compare Garrett's testimony with Chein's and mine not just in terms of its representation of presumed psychological fact, but also in terms of the human values that are implicit or explicit. That is as it should be and I am quite ready to live with the comparison. But Garrett's was a minority position in the psychology of 1952. Lest we be too smug about our handling of facts and values in psychology and the social sciences, let me remind you of two examples that are much less comfortable for us to contemplate than our role in Brown vs. Board of Education. I am thinking of the generally racist posture of the social sciences, psychology included, around the time of World War I and shortly thereafter (Kamin, 1974): imagine a consensual "Social Science Brief" from those days on problems of immigration or of segregation! I am thinking also of the scatter of our most competent expert testimony on both sides of the Larry P. case--in which, as you know, Jane Mercer, Lloyd Humphreys, George Albee, Nadine Lambert, and others just recently testified in support of contrary positions in regard to the use of intelligence tests in the educational classification of California school children.

Looking back to the racism of sixty years ago, I think it helps us to make sense of our present if we accept that

discredited past as truly our own, if we do not try to disown it. (Here I am speaking for white psychologists and social scientists; the case is obviously different for those of minority background.) The racist social scientists of 1920 were surely no more stupid, no less competent than we, and by their own lights they certainly did not see themselves as more in league with the Devil. Their psychology, their social science, was in full continuity with ours. They saw themselves as honorably engaged in the same sort of enterprise. Their disciplines were by no means newborn in the academic world. True, theirs was a <u>different</u> social science, a different psychology from ours, but that is just my point.

Owning our racist past does help us, I think, to maintain that minimal belief in progress that can sustain our efforts. We really do know more, and we have much more powerful techniques and tools for developing evidence, than our predecessors of that racist time. And our value perspectives have changed very substantially, in ways that, we cannot help believing, make our perspective the more humane. Our social science is embedded in human history, both reflecting it and contributing to it; it is not something apart. Value controversy is as much part of the development of social science as factual accretion, conceptual clarification, and technical refinement. We are by no means at the end of the road, in changes in value perspectives any more than in empirical development.

The possibility of the Social Science Brief, I am suggesting, depended on the emergence of a new value consensus among social

scientists as well as on the amassing of evidence. The anti-racist consensus had emerged through historical processes akin to those in which the new legal consensus was being created. Persistent advocacy by organizations like NAACP had contributed. So had research by scholars like Ken Clark, Franklin Frazier, Otto Klineberg, Gunnar Myrdal. The brief is historically important because of its role in the landmark case that defined the new legal situation. It is a rare instance!

Perhaps the dissensus that characterized psychological and social science testimony in the Larry P. case may be more typical of the situations that we presently face. In the testimony in this case as selected and summarized last year in the Monitor (of course a slender source for such a mammoth transcript), I see no angels or devils. I see competent, engaged psychologists tangling with extremely complex issues and finding themselves unable to come to agreement. The issues involve competing values as much as ambiguous facts. Within APA Governance, I have heard the call for developing an "APA position" on the issues in the Larry P. case. But wishing for a consensus won't produce one. I think it is nevertheless responsible and desirable for psychologists to involve themselves in the legal process of social decision, even when they don't agree. The social outcome should be the better considered for our participation, and psychology may also be educated in and by the process.

The message I would leave, thus, is easily summarized. Brown vs. Board of Education was a milestone decision that moved the perennial struggle for social justice along to new positions. Psychologists and social scientists played an appropriate, honorable role of which we can continue to be proud. It was a new role, in which we prided ourselves on being taken seriously by our most respected legal institution.

The social scientists' role depended on both facts and values, in intimate connection with each other. Both classes of considerations are always inherently involved in our treatment of controversial social issues. The Social Scientists' Brief was as remarkable for the relatively high degree of value consensus that it reflected as for its good judgment in appraisal of the evidence. The related social issues that currently divide us pose for us a challenge equally complex in terms of producing cogent evidence in our research and integrating it for its bearing on public policy. They seem to me considerably more difficult with respect to our attaining value consensus. On this Twenty-fifth Anniversary, then, let us renew our commitment to using our greater resources in the never-ending struggle for social justice. The record of Brown vs. Board of Education gives us occasion for pride, but no excuse to rest on our laurels.